

FISCAL NOTE

SB 2827 - HB 3021

March 25, 2004

SUMMARY OF BILL: Elevates the penalty for unlawful carrying or possession of a weapon as follows:

- Carrying a firearm, a knife with a blade over four inches long, or a club with the intent to go armed elevated from a Class C misdemeanor to a Class E felony;
- Carrying a handgun in a public place where one or more persons were present elevated from a Class A misdemeanor to a Class D felony;
- Possession of a handgun by a person who was convicted of a felony involving violence or drugs elevated from a Class E felony to a Class C felony;
- Possession of any deadly weapon with intent to use it in committing or escaping from an offense elevated from a Class E felony to a Class C felony.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$3,363,700/Incarceration*

Decrease Local Govt. Expenditures - Less than \$100,000

Decrease Local Govt. Revenues - Not Significant

Estimate assumes:

- 89 convictions for a Class C misdemeanor elevated to a Class E felony for carrying a weapon with intent to go armed;
- 89 convictions for a Class A misdemeanor elevated to a Class D felony for carrying a handgun at a place open to the public;
- 140 convictions for a Class E felony elevated to a Class C felony for felony unlawful possession of a handgun;
- 64 convictions for a Class E felony elevated to a Class C felony for possession of deadly weapon with intent to employ in commission of an offense;
- local government will have a decrease in expenditures and revenues for misdemeanor offenses elevated to felony offenses.

**Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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